

May 2, 2018

VIA FOIAONLINE. REGULATIONS.GOV

U.S. Environmental Protection Agency
National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
Phone: (202) 566-1667
Fax: (202) 566-2147

Re: Freedom of Information Act Request: outgoing- and incoming-private phone booth calls.

Dear National Freedom of Information Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, (FOIA), Friends of the Earth (FOE) hereby requests the following records from the Office of the Administrator of the U.S. Environmental Protection Agency (EPA):

I. Requested Records

Call log records for incoming and outgoing phone calls made to or from any third party for the phone line associated with the privacy booth (also publicly referred to as “sound proof booth”, “private phone booth”, etc.) installed in the office of EPA Administrator Pruitt. Where such information is available, we request the name of the caller or recipient of the call, the number called or from which the call was made, the date and time the call was placed or received, and the length of time for the call. For the purposes of this request, “third party” means any individual who is not an employee of the federal-government.

II. Claims of Exemption from Disclosure

If you regard any documents as exempt from required disclosure under FOIA, please exercise your discretion to disclose them nevertheless, keeping in mind that FOIA “is the most prominent expression of a profound national commitment to ensuring an open Government” and that “[a]ll agencies should adopt a presumption in favor of disclosure.” President Barack Obama, Memorandum For the Heads of Executive Departments and Agencies: Freedom of Information Act, 74 Fed. Reg. 4, 863 (Jan. 26, 2009).

In the alternative, after careful review for the purpose of determining whether any of the information is exempt from disclosure, please provide all reasonably non-exempt portions of records and communications as required by FOIA.

Should you elect to invoke an exemption, please provide the required full or partial denial letter and sufficient information to determine whether or not there may be grounds to appeal EPA’s

decision. In accordance with the minimum requirements and regulations of due process, this information should include:

- II. Basic factual material, including the originator, date, length, and addresses of the withheld items.
- III. Explanations and justifications for denial, including the identification of the exemption applicable to the withheld information or portions of the information found to be subject to exemption, and how each exemption applies to the withheld material.

IV. Requests for Clarification

Lastly, if any part of this request can be clarified, or if the scope of the request can be narrowed to facilitate EPA's response, I invite you to contact me directly, either over phone or email, to discuss the most expeditious way that the EPA's legal obligations under FOIA may be met.

Thank you,

Lukas Ross

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